

AMENDED

Nº 45907

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... JUL 9 1982
Returned to applicant for correction..... AUG 23 1982
Corrected application filed..... SEP 1 1982
Map filed..... SEP 1 1982

The applicant..... DESERT RIVER, INC.
3000 W. Charleston Blvd., Suite 3....., of..... Las Vegas
Street and No. or P.O. Box No. City or Town
Nevada 89102....., hereby make ^S application for permission to appropriate the public
State and Zip Code No. waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Incorporated 12/24/78 in Clark
County, Nevada. *

1. The source of the proposed appropriation is..... Colorado River Valley Basin
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is..... 3.0..... second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet..... 1.53
3. The water to be used for..... quasi-municipal and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated:.....
 - (b) Stockwater, state number and kinds of animals to be watered:.....
 - (c) Other use (describe fully under "No. 12. Remarks")..... XX
 - (d) Power:
 - (1) Horsepower developed.....
 - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: within Government Lot 9 in Sec. 24,
Describe as being within a 40-acre subdivision of public
T. 32 S., R. 66 E., M.D.M., or at a point from which the West Quarter (W₄) Corner
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
of said Section 24 bears S. 87°49'05" W., 879.61 feet.
6. Place of use..... All of Fractional Section 24, T. 32 S., R. 66 E., M.D.M., Clark County,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
Nevada. Excepting therefrom the West half (W₂) of the Northwest Quarter (NW₄) of
said Section 24. Further excepting the North 786 feet (approximately) of Govern-
ment Lots 5 and 6 of said Section 24. And further excepting that parcel of land
as conveyed by Document No. 0783163, Book 975 of Official Records, Clark County,
Nevada, recorded September 1969.
7. Use will begin about..... January 1st..... and end about..... December 31st....., of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) a drilled, gravel packed well together with
State manner in which water is to be diverted, i.e. diversion structure, ditches and
a pump, reservoir and distribution system.
flumes, drilled well with pump and motor, etc.
9. Estimated cost of works..... \$300,000 (not including distribution system).....

10. Estimated time required to construct works. one year (not including distribution system)
If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use. 10 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water applied for under this application is intended to serve a master
planned community consisting of but not limited to the following: two
hotel/casinos (150 rooms+ each), 1860+ residential units, 13 acres+ of
commercial development, and 33 acres+ of recreation and open space.

By s/James L. MacFarlane
JAMES L. MacFARLANE, Agent
2800 W. Sahara Ave., Bldg. 4-B
Las Vegas, NV 89102

Compared bl/js bc/bl

Protested 12/9/82 by Sahara-Nevada Corporation
 Protest withdrawn 1/12/83-See Transcript of Hearing

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights and is further subject to revocation if and when water can be furnished by an entity such as a water district or a municipality engaged in furnishing water. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed. It is understood that this right must allow for a reasonable lowering of the static water level. The well shall be equipped with a (2) two-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

In the event that such an entity or water district is not available to provide service within five (5) years from the date of issuance of this permit, the permittee is required to proceed to obtain a water supply from the Colorado River-Lake Mead which is the alternate source identified for the basis of the issuance of this revocable permit. The specific date of revocation of this permit will be determined upon a good faith and diligent effort to secure an alternate water source. (CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed 380 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before July 11, 1984

Proof of completion of work shall be filed before August 11, 1984

Application of water to beneficial use shall be made on or before July 11, 1989

Proof of the application of water to beneficial use shall be filed on or before August 11, 1989

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed _____ IN TESTIMONY WHEREOF, I PETER G. MORROS,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 Proof of beneficial use filed _____ my office, this 11th day of JULY,
 Cultural map filed _____

Certificate No. _____ Issued _____ A.D. 19 83

ELLENB18 (Rev.) NOV 17 1989 BECAUSE OF FAILURE
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Peter G. Morros STATE ENGINEER

Permit Terms (continued)

The State Engineer may also make a determination as to the influence of withdrawals of water under this permit on the waters of the Colorado River for the purpose of classifying the source under this permit as an infiltration well or gallery.

This permit is issued subject to the contract with the Colorado River Commission of Nevada for 380 acre-feet of water each year from the Colorado River.

